

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gerard HAYES et al

Serial No.: 10/517,993

Filed: 05/11/05

Title: ANTI-SMOKING DEVICE

Group Art Unit:3751

Examiner: Douglas, Steven D.

Attorney Docket No.:TOMK:015

Confirmation No. 7267

EFS WEB FILING

COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313-1450

PETITION FOR EXTENSION OF TIME

In response to the Final Office Action dated April 22, 2008, applicants filed a Notice of Appeal with petition for a three month extension of time on October 22, 2008. Instead of proceeding with the appeal, applicants have decided to file a Request for Continued Examination (RCE). The RCE with amendment is being filed concurrent herewith. The period for response for filing the appeal brief having expired on December 22, 2008 (two month response period), applicants hereby petition for a four month extension of time. The fees for the RCE and extension are being paid through the electronic filing system. The Commissioner, however, is authorized to charge Deposit Account 18-2056 any fees that may be required to enter this paper and/or maintain the pendency of this application.

Respectfully submitted,

Date: 22 April 2009

/Marc A. Rossi/
Marc A. Rossi, Esq.

Reg. No. 31,923

ROSSI, KIMMS & McDOWELL, LLP
20609 Gordon Park Square, Suite 150
Ashburn, VA 20147
Telephone: 703-726-6020